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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,234	06/26/2003	Toshimitsu Kawase	03500.017353	4223

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EXAMINER

RIELLEY, ELIZABETH A

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,234

Applicant(s)

KAWASE, TOSHIMITSU

Examiner

Elizabeth A. Rielley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

Amendment filed 1/5/06 has been entered and considered by the Examiner. Claims 5-11 are canceled; claims 25-28 have been added. Currently, claims 1-4 and 25-28 are pending in the instant application.

MSA
4/15/06

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al (US 6218777).

In regard to claim 1, Jones et al ('777) teach an image display apparatus (figure 2), comprising: a hermetic container (see figure 2; column 1 lines 57-65) including, as constructive members, a first substrate (110; column 1 lines 36-37) and a second substrate (310; figure 2 column 1 line 42) opposite to each other (see figure 2); an image display means (320; column 1 lines 49-55) and wiring (120) for displaying (column 1 lines 37; wiring is a conductive element) disposed within the hermetic container (see figure 2), a conductive bonding member (250) for sealing the first and second substrate disposed between the first and second substrates (column 4 lines 39-49; abstract), and a frit (230) that separates the conductive bonding member (250) from the wiring (120) for displaying (column 1 lines 46-47), wherein an electric potential of the conductive bonding member is specified (column 4 lines 26-62; the specified

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electric potential, that is, the voltage, is the current flowing into the conductive member 250 rather than into the conductive element 120).

In regard to claim 3, Jones et al ('777) teach an image display apparatus (figure 2) comprising; a hermetic container (see figure 2; column 1 lines 57-65) including, as constructive members, a first substrate (110; column 1 lines 36-37) and a second substrate (310; figure 2; column 1 line 42) opposite to each other (see figure 2), and an external frame (210; column 4 lines 17-25) disposed between the first substrate and second substrates (see figure 2); an image display means (320; column 1 lines 49-55) and wiring (120; column 1 lines 37; wiring is a conductive element) for display disposed within said hermetic container (see figure 2; column 1 lines 33-48), a conductive bonding member (250) for sealing at least one of the first and second substrate and said external frame is disposed between at least one the first and second substrates and said external frame (column 4 lines 39-49; abstract); and a frit (230) that also seals the device (column 1 lines 46-47), wherein an electric potential of the conductive bonding member is specified (column 4 lines 26-62; the specified electric potential, that is, the voltage, is the current flowing into the conductive member 250 rather than into the conductive element 120) wherein the frit separates the conductive bonding member (250) from the wiring for the display (120; see figure 2).

In regard to claims 25-28, Jones et al ('777) teach the electric potential of the conductive bonding member is specified at a constant, ground level (column 2 lines 3-32; column 4 lines 26-32; Jones teaches that the conductive bonding member 250 is used to shunt flashover arcs, but also teaches that the flashover arcs are created when the gas pressure is high enough for a Paschen breakdown. Therefore, when there are no flashover arcs, no voltage is conducted through the bonding member 250; therefore the electric potential is at a constant ground level when there are no flashover arcs in the device).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 6218777) in view of Yokota et al (US 20040080261).

Jones et al ('777) disclose all the limitations set forth, as described above, except the conductive bonding member extends from a sealing area onto at least one surface of the first and second substrate outwardly of the hermetic container. However, one skilled in the art would reasonably contemplate modifying the device of Jones et al ('777) to include the claimed conductive bonding orientation, as an obvious matter of design engineering as evidenced by Yokota et al ('261; figure 34a shows conductive bonding member 35 extending from a sealed area onto the substrates outwardly of the hermetic container; paragraph 251). Applicant's claimed material does not provide unexpected results that are not within the teaching applied, since both bonding member orientation disclosed in Jones et al ('777) as well as the bonding member orientation disclose by the Applicant perform the same function of sealing the device with an electrically conductive material. Thus, it would have been obvious at the time of the invention to one of ordinary skill in the art to combine the device of Jones et al ('777) with the configuration for the electrically conductive sealing material as taught by Yokota et al ('261). Motivation to combine would be to seal the device with an electrically conductive material.

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Response to Arguments

Applicant's arguments filed 1/5/06 have been fully considered but they are not persuasive.

In regard to Applicant's argument that the prior art of record fails to teach a frit that separates a conductive bonding member from a wiring for a display, the Examiner respectfully disagrees. Jones et al ('777) teach a frit (230) that separates a conductive bonding member (250) from a wiring (120) for a display (see figure 2). Therefore, the prior art of record teaches all the limitations in the current application.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fushimi et al (US 5905335) also disclose similar bonding members for an image-forming device.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Elizabeth Rielley
Elizabeth Rielley

Examiner
Art Unit 2879

msky 4/13/06
MARICELI SANTIAGO
PRIMARY EXAMINER